

**MINUTES OF LAYTON CITY  
COUNCIL MEETING**

**JANUARY 7, 2016; 7:00 P.M.**

**MAYOR AND COUNCILMEMBERS  
PRESENT:**

**MAYOR BOB STEVENSON, JOYCE BROWN,  
BRUCE DAVIS, TOM DAY, SCOTT FREITAG AND  
JOY PETRO**

**STAFF PRESENT:**

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,  
PETER MATSON, TERRY COBURN AND THIEDA  
WELLMAN**

**The meeting was held in the Council Chambers of the Layton City Center.**

Mayor Stevenson opened the meeting and welcomed Councilmember Davis. He led the Pledge of Allegiance. Councilmember Davis gave the invocation. Scouts and students were welcomed.

**MUNICIPAL EVENT ANNOUNCEMENTS:**

Councilmember Brown indicated that the Family Recreation activity in January would be a family skate night on the 21st at the South Davis Recreation Center. She said on February 12th the Family Valentine's Dance would be held at Central Davis Jr. High with a live band and refreshments.

Councilmember Petro said the City, in conjunction with the Small Business Association, would be providing seminars for small business owners. She said they would begin on January 15th.

**CONSENT AGENDA:**

**APPOINT BRUCE DAVIS AS A MEMBER OF THE UTAH TELECOMMUNICATION OPEN  
INFRASTRUCTURE AGENCY (UTOPIA) BOARD OF DIRECTORS – RESOLUTION 16-02**

Mayor Stevenson said Resolution 16-02 would appoint Councilmember Davis to the UTOPIA Board.

**BID AWARD – ASSOCIATED BRIGHAM CONTRACTORS, INC. – KAYS CREEK 48-INCH  
STORM DRAIN – 400 WEST AND GOLDEN AVENUE TO 195 EAST GENTILE STREET –  
RESOLUTION 16-01**

Terry Coburn, Public Works Director, said Resolution 16-01 authorized the execution of an agreement with Associated Brigham Contractors for the Kays Creek 48-inch Storm Drain project. The project included the construction of approximately 75 linear feet of 42-inch and 4,500 linear feet of 48-inch storm drain piping. The project would improve drainage and increase capacity for the areas surrounding Hill Field Road and 400 West. Terry said twelve bids were received with Associated Brigham Contractors submitting the lowest responsive, responsible bid of \$899,598.25; the engineer's estimate was \$1,000,000. He said Staff recommended approval.

**PLAT VACATION REQUEST – HIDDEN HIDEAWAY CONDOMINIUM PLAT – R-1-10 PRUD  
(SINGLE FAMILY RESIDENTIAL PLANNED RESIDENTIAL UNIT DEVELOPMENT) –  
APPROXIMATELY 2200 NORTH 1450 EAST**

Peter Matson, City Planner, said this was a plat vacation request for the Hidden Hideaway Condominium plat located at approximately 2200 North 1450 East. He identified the property on a map.

Peter indicated that in 1987 there was approval for the development of townhomes on the property and the property owner wanted to vacate the plat. The townhomes were never constructed on the property. The vacation would not affect the street that was already in place. He said the Planning Commission

recommended approval.

Councilmember Brown asked if the zoning would revert back to the previous zone.

Peter said no, the zoning would stay in place. He said the owner was looking at options for the property relative to geological studies.

**MOTION:** Councilmember Brown moved to approve the Consent Agenda as presented. Councilmember Day seconded the motion, which passed unanimously.

#### **PUBLIC HEARINGS:**

#### **ANNEXATION AND REZONE REQUEST – RLS INVESTMENT PROPERTIES, INC./ALPINE HOMES – A (AGRICULTURE) TO R-S (RESIDENTIAL SUBURBAN) – APPROXIMATELY 450 SOUTH ANGEL STREET – ORDINANCES 16-04 AND 16-05**

Peter Matson said this was an annexation and rezone request submitted by the applicant, Alpine Homes, for the property owner, RLS Investment Properties. He indicated that the property was located to the west of Angel Street, north of the Pheasant Place Subdivision. Peter identified the property on a map.

Peter indicated that RLS owned the majority of the property; there was a small portion of property on Angel Street with an existing home that would be included in the annexation so as to not create an island. The property was within the City's annexation plan and was consistent with the General Plan recommendations for the area. A subdivision would be developed on the property with 2 connections into stub streets from Pheasant Place Subdivision to the south, and there would be a connection on Angel Street. Peter reviewed utility connections to the property. He said the Planning Commission recommended approval and Staff supported that recommendation.

Councilmember Brown said in an earlier meeting, citizens had indicated that they didn't think this property would ever develop. She asked if the City anticipated that this property would eventually develop; would the City have required the stub streets into Pheasant Place if it didn't think this property was going to develop.

Peter said the City required the access regardless of the timing of development of abutting property whether it was 5 years or 50 years.

Councilmember Petro said, relative to the 12-inch Kays Creek Irrigation water line that was located on 1700 West, documentation in the packet indicated that it would be necessary for the developer to connect to that line. She asked how the line would be brought from 1700 West through the unincorporated property to the west.

Peter said they would have to use the existing right of way or acquire an easement through private property. He said the best alternative would be to stay in the City's right of way.

#### **Mayor Stevenson opened the meeting for public input.**

Michael Hall, 1278 West 500 South, said the preliminary plat had shown an access onto Angel Street. He said this would be a critical access rather than funneling all of the traffic through the Pheasant Place Subdivision.

Mr. Hall said on Angel Street, on the corner of 500 South, the frontage was not developed; there was no sidewalk or curb and gutter. He said this area needed to be improved, possibly in conjunction with this development.

Peter said the specific requirement would be for the developer to improve the frontage of their development area. He said there were two homes between the two outlets, which would not be required to be improved.

Mayor Stevenson asked if there was a representative of Alpine Homes present; he would like to ask a couple of questions.

Mr. Jake Hone came forward.

Mayor Stevenson asked what the proposed product would be for this subdivision.

Mr. Hone said this topic was discussed at the Planning Commission meeting. He said they planned on a nicer product in this development, similar to the surrounding area. Mr. Hone said it was in their best interest to put a nicer home on these larger lots.

Mayor Stevenson asked if there would be CC&Rs with this development.

Mr. Hone said that was their intention.

Mayor Stevenson said this was a very nice area and the City anticipated a nicer product.

**MOTION:** Councilmember Brown moved to close the public hearing and approve the annexation and rezone request as presented, Ordinances 16-04 and 16-05. Councilmember Davis seconded the motion, which passed unanimously.

**ORDINANCE AMENDING TITLE 19, CHAPTER 19.16, ADDING SECTION 19.16.075 AND TABLE 16-04 OF THE LAYTON MUNICIPAL CODE ESTABLISHING APPROVED TREES FOR PARK STRIPS AND FRONTAGES – ORDINANCE 16-03**

Peter Matson said Ordinance 16-03 represented an ordinance amendment proposal to the zoning ordinance having to do with fencing and landscaping, by adding Section 19.16.075 and Table 16-04 establishing a list of approved trees for park strips and street frontages. Peter said trees provided a natural aesthetic if planted appropriately. The type and location of tree plantings relative to public sidewalks, curbs and gutters, and certain utilities were deemed to be very important. To avoid conflicts with these public facilities, certain safety issues and impacts had to be taken into account.

Peter said the proposal was to add language to the ordinance adding guidelines for the planting of trees and maintenance, and proper clearance away from sidewalks, corners and overhead power lines. A list of appropriate trees for various sizes of park strips was being added. Trees planted in lot frontages must be six feet from the sidewalk for allowed trees, and ten feet for trees not on the list. The ordinance identified property owners' responsibilities for damage provided by trees.

The ordinance also allowed for property owners to submit requests for adding trees to the list, which would be reviewed by Staff. If the request was denied an appeal could be made to the City Manager. Peter reviewed information on the list of approved trees. He said the Planning Commission recommended approval and Staff supported that recommendation.

Councilmember Brown said relative to clear view, did that include driveways.

Peter said yes.

Councilmember Brown said this didn't add burden to property owners; the current ordinance indicated that property owners were responsible for damage to infrastructure.

Peter said that was correct. He said, as discussed in the earlier work meeting, Staff would do everything to notify property owners and developers of the changes.

Councilmember Brown mentioned a meandering sidewalk in her area; how did they determine which trees

would be allowed when the park strip width changed.

Peter said those types of sidewalks often occurred in planned unit developments. He said the guideline would be associated with the width of where the tree was planted.

Mayor Stevenson asked if the trees listed in the 3 to 5 foot park strip would also be okay in the 6 foot or larger park strip.

Peter said yes.

**Mayor Stevenson opened the meeting for public input.**

Dawn Fitzpatrick, Planning Commissioner, asked if all of the corrections were made that were discussed at the Planning Commission meeting.

Peter said yes.

Ms. Fitzpatrick suggested an education process for local suppliers of trees.

**MOTION:** Councilmember Petro moved to close the public hearing and approve the amendments to Title 19 as presented, Ordinance 16-03. Councilmember Day seconded the motion, which passed unanimously.

**CLOSED DOOR:**

**MOTION:** Councilmember Freitag moved to close the meeting at 7:35 p.m. to discuss the character, and professional competence of an individual. Councilmember Davis seconded the motion, which passed unanimously.

**MOTION:** Councilmember Freitag moved to open the meeting at 9:18 p.m. Councilmember Day seconded the motion, which passed unanimously.

**The meeting adjourned at 9:20 p.m.**

---

Thieda Wellman, City Recorder

**SWORN STATEMENT**

The undersigned hereby swears and affirms, pursuant to Section 52-4-205(1) of the Utah Code Annotated, that the sole purpose for the closed meeting of the Layton City Council on the **7th day of January, 2016**, was to discuss the character and professional competence of an individual.

Dated this 4th day of February, 2016.

ATTEST:

---

ROBERT J STEVENSON, Mayor

---

THIEDA WELLMAN, City Recorder